

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USCA Docket Number:

USDC Docket Number : 04-cr-40019

United States of America

v.

Alexis Morales

CLERK'S CERTIFICATE

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 10/4/05.

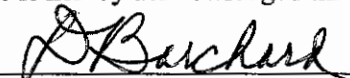
In testimony whereof, I hereunto set my hand and affix the seal of this Court on October 11, 2005.

Sarah A Thornton, Clerk of Court

By: 

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled
case is hereby acknowledged this date: 10/11/05


Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL, CLOSED

**United States District Court
District of Massachusetts (Worcester)
CRIMINAL DOCKET FOR CASE #: 4:04-cr-40019-FDS-ALL**

Case title: USA v. Morales

Date Filed: 07/28/2004

Magistrate judge case number: 4:04-mj-01816-CBS

Assigned to: Judge F. Dennis
Saylor, IV

Defendant

Alexis Morales (1)

TERMINATED: 10/04/2005

represented by **Eduardo A. Masferrer**
Masferrer & Hurowitz, P.C.
6 Beacon Street
Suite 720
Boston, MA 02108
617-531-0135
Fax: 617-531-0136
Email:
masferrer@mhattorneys.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Leo T. Sorokin
Federal Defender's Office
408 Atlantic Ave.
Third Floor
Boston, MA 02210
617-223-8061
Fax: 617-223-8080
TERMINATED: 08/02/2004
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender
Appointment*

Pending Counts

21:841(a)(1) Possession of
Cocaine Base with Intent to
Distribute
(1)

**Highest Offense Level
(Opening)**

Felony

Terminated Counts

None

**Highest Offense Level
(Terminated)**

None

Complaints

21:841A=CD.F Possess more than
five grams of cocaine base, a
schedule II controlled substance,
with intent to distribute.

Disposition

The defendant is hereby
committed to the custody of the
U.S. Bureau of Prisons to be
imprisoned for a term of 60
months. Upon release from
imprisonment, the defendant shall
be placed on supervised release
for a term of 4 years. It is further
ordered that the defendant shall
pay to the United States a special
assessment of \$100.00, which
shall be due immediately.

Disposition

Disposition

Plaintiff

USA

represented by **David H. Hennessy**
US Attorney's Office
Donohue Federal BLDG.
595 Main Street
Worcester, MA 01608
508-368-0100

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Email:

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/20/2004	<u>1</u>	COMPLAINT as to Alexis Morales (1). (Jones, Sherry)[4:04-mj-01816-CBS] (Entered: 07/20/2004)
07/20/2004	<u>2</u>	AFFIDAVIT of Special Agent Michael Boyle by USA as to Alexis Morales <u>1</u> Complaint (Jones, Sherry)[4:04-mj-01816-CBS] (Entered: 07/20/2004)
07/20/2004	<u>3</u>	Arrest Warrant Issued as to Alexis Morales. (Jones, Sherry) [4:04-mj-01816-CBS] (Entered: 07/20/2004)
07/20/2004	<u>4</u>	Judge Charles B. Swartwood : ORDER entered ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Alexis Morales Leo T. Sorokin for Alexis Morales appointed. (Jones, Sherry)[4:04-mj-01816-CBS] (Entered: 07/20/2004)
07/21/2004	<u>5</u>	Electronic Clerk's Notes for proceedings held before Judge Charles B. Swartwood : Case called, defendant and counsel (Hennessy, Sorokin) appear. Leo Sorokin appointed to represent defendant. Government moves for detention, Defendant is currentl[4:04y in state custody, detention hearing deferred until defendant is released. P/C Hearing set for Wednesday July 28 at 2:45 p.m.Initial Appearance as to Alexis Morales held on 7/21/2004 (Tape #3:51.) (Jones, Sherry)[4:04-mj-01816-CBS] (Entered: 07/21/2004)
07/21/2004	<u>5</u>	CJA 23 Financial Affidavit by Alexis Morales. (Jones, Sherry) [4:04-mj-01816-CBS] (Entered: 07/22/2004)
07/26/2004	<u>6</u>	Writ of Habeas Corpus ad Prosequendum Issued as to Alexis Morales for 7/28/2004 (Roland, Lisa)[4:04-mj-01816-CBS] (Entered: 07/26/2004)
07/27/2004	<u>7</u>	Writ of Habeas Corpus ad Prosequendum Issued as to Alexis Morales for 7/30/04 (Roland, Lisa)[4:04-mj-01816-CBS] (Entered: 07/27/2004)
07/27/2004	<u>8</u>	Reset Hearings as to Alexis Morales : Preliminary Examination set for 7/30/2004 02:15 PM in Courtroom 1

		before Magistrate Judge Charles B. Swartwood. (Roland, Lisa) [4:04-mj-01816-CBS] (Entered: 07/27/2004)
07/28/2004	●8	INDICTMENT as to Alexis Morales (1) count(s) 1. (Shattuck, Deborah) (Entered: 07/28/2004)
07/28/2004	●	Judge F. Dennis Saylor IV: ELECTRONIC ORDER entered ORDER REFERRING CASE to Magistrate Judge Charles B. Swartwood Reason for referral: Pretrial as to Alexis Morales (Shattuck, Deborah) (Entered: 07/28/2004)
07/30/2004	●	Electronic Clerk's Notes for proceedings held before Judge Charles B. Swartwood :Arraignment as to Alexis Morales (1) Count 1 held on 7/30/2004, Case called, Counsel (Hennessy, Masferrer) & Dft appear, Dft informed of rights and charges, Not Guilty Plea entered by Alexis Morales on count 1, Scheduling Order to issue, Dft remanded to the custody of the US Marshal. (1:18 P.) (Roland, Lisa) (Entered: 07/30/2004)
08/02/2004	●	Attorney update in case as to Alexis Morales. Attorney Eduardo Antonio Masferrer for Alexis Morales added. Attorney Leo T. Sorokin terminated. (Roland, Lisa) (Entered: 08/03/2004)
08/03/2004	●9	NOTICE OF HEARING as to Alexis Morales; Status Conference set for 9/13/2004 02:45 PM in Courtroom 1 before Magistrate Judge Charles B. Swartwood, cc/cl. (Roland, Lisa) (Entered: 08/03/2004)
08/03/2004	●10	Judge Charles B. Swartwood : ORDER ON EXCLUDABLE DELAY as to Alexis Morales ; Time excluded from August 2, 2004 until August 16, 2004, cc/cl. (Roland, Lisa) (Entered: 08/03/2004)
08/03/2004	●11	Judge Charles B. Swartwood : SCHEDULING ORDER as to Alexis Morales, cc/cl. (Roland, Lisa) (Entered: 08/03/2004)
08/10/2004	●12	NOTICE re automatic disclosure as to Alexis Morales, c/s. (Jones, Sherry) (Entered: 08/10/2004)
09/08/2004	●13	INFORMATION TO ESTABLISH PRIOR CONVICTION as to Alexis Morales, c/s. (Jones, Sherry) (Entered: 09/08/2004)
09/10/2004	●14	JOINT MEMORANDUM of the parties re initial status conference by Alexis Morales (Shattuck, Deborah) (Entered: 09/10/2004)
09/13/2004	●15	Letter (non-motion) regarding Discovery Request as to Alexis

		Morales (Masferrer, Eduardo) (Entered: 09/13/2004)
09/27/2004	●	Electronic Clerk's Notes for proceedings held before Judge Charles B. Swartwood :Detention Hearing as to Alexis Morales held on 9/27/2004. Case called, Counsel (Hennessy, Masferrer), PTS Cuascut & Dft appear, Government calls James Carmody, Cross, Recess, Closing Arguments, Matter taken under advisement. (10:30 a, 12:45 p.) (Roland, Lisa) (Entered: 09/27/2004)
09/27/2004	●16	EXHIBIT/WITNESS LIST re: detention hearing as to Alexis Morales. (Roland, Lisa) (Entered: 09/27/2004)
09/27/2004	●17	Judge Charles B. Swartwood : STATUS REPORT as to Alexis Morales; Status Conference set for 10/13/2004 10:15 AM in Courtroom 1 before Magistrate Judge Charles B. Swartwood, cc/cl. (Roland, Lisa) (Entered: 09/28/2004)
09/27/2004	●18	Judge Charles B. Swartwood : ORDER ON EXCLUDABLE DELAY as to Alexis Morales ; Time excluded from August 16, 2004 until October 13, 2004, cc/cl. (Roland, Lisa) (Entered: 09/28/2004)
09/29/2004	●19	Judge Charles B. Swartwood : ORDER on the Government's Motion forDETENTION as to Alexis Morales, cc/cl. (Roland, Lisa) (Entered: 09/30/2004)
10/01/2004	●20	MOTION to unseal grand jury testimony as to Alexis Morales by USA, c/s. (Jones, Sherry) (Entered: 10/01/2004)
10/04/2004	●	Judge Charles B. Swartwood : Electronic ORDER entered granting 20 Motion to Unseal Grand Jury Testimony as to Alexis Morales (1). "ALLOWED." cc/cl (Roland, Lisa) (Entered: 10/04/2004)
10/13/2004	●23	MOTION to Continue as to Alexis Morales . (Docketed in Mag case in error)(Roland2, Lisa) (Entered: 11/03/2004)
10/13/2004	●24	AFFIDAVIT of Eduardo Masferrer; by Alexis Morales re 23 MOTION to Continue (Roland2, Lisa) (Entered: 11/03/2004)
10/28/2004	●	Electronic Clerk's Notes for proceedings held before Judge Charles B. Swartwood :Status Conference as to Alexis Morales held on 10/28/2004. Case called, Counsel (Hennessy, Masferrer- by telephone) appear, Counsel request additional time, Case continued, Time to be excluded. (2:20 P.) (Roland, Lisa) (Entered: 10/28/2004)

10/29/2004	<u>21</u>	Judge Charles B. Swartwood : STATUS REPORT as to Alexis Morales; Status Conference set for 12/9/2004 02:00 PM in Courtroom 1 before Magistrate Judge Charles B. Swartwood, cc/cl. (Roland, Lisa) (Entered: 11/01/2004)
10/29/2004	<u>22</u>	Judge Charles B. Swartwood : ORDER ON EXCLUDABLE DELAY as to Alexis Morales; Time excluded from October 13, 2004 until December 7, 2004, cc/cl. (Roland, Lisa) Modified on 11/2/2004 (Jones, Sherry). (Entered: 11/01/2004)
11/04/2004	<u>23</u>	Judge Charles B. Swartwood : Electronic ORDER entered terminating <u>23</u> Motion to Continue as to Alexis Morales (1). Motion moot, matter continued. (Jones, Sherry) (Entered: 11/04/2004)
11/19/2004	<u>25</u>	MOTION for Extension of Time to November 23, 2004 to File Motion to Suppress as to Alexis Morales. (Masferrer, Eduardo) (Entered: 11/19/2004)
11/22/2004	<u>25</u>	Judge Charles B. Swartwood : Electronic ORDER entered granting <u>25</u> Motion for Extension of Time to File as to Alexis Morales (1). "ALLOWED." cc/cl (Roland, Lisa) (Entered: 11/22/2004)
11/23/2004	<u>26</u>	First MOTION to Suppress <i>Evidence</i> as to Alexis Morales. (Masferrer, Eduardo) Additional attachment(s) added on 11/24/2004 (Jones, Sherry). (Entered: 11/23/2004)
11/24/2004	<u>27</u>	First MEMORANDUM in Support by Alexis Morales re <u>26</u> First MOTION to Suppress <i>Evidence</i> (Masferrer, Eduardo) (Entered: 11/24/2004)
11/29/2004	<u>28</u>	Letter (non-motion) regarding transcripts as to Alexis Morales (Jones, Sherry) (Entered: 11/29/2004)
12/07/2004	<u>29</u>	RESPONSE to Motion by USA as to Alexis Morales re <u>26</u> First MOTION to Suppress <i>Evidence</i> , c/s. (Hassett, Kathy) (Entered: 12/07/2004)
12/07/2004	<u>30</u>	AFFIDAVIT of Police Officer James Carmody by USA as to Alexis Morales <u>29</u> Response to Motion filed by USA (Hassett, Kathy) (Entered: 12/07/2004)
12/09/2004	<u>31</u>	AFFIDAVIT in support { <u>26</u> } Motion to supress by Alexis Morales (Masferrer, Eduardo) Modified on 12/10/2004 (Jones, Sherry). Additional attachment(s) added on 12/16/2004 (Jones, Sherry). (Entered: 12/09/2004)

12/09/2004	●	Electronic Clerk's Notes for proceedings held before Judge Charles B. Swartwood :Status Conference as to Alexis Morales held on 12/9/2004. Case called, Counsel (Hennessy, Masferrer-by telephone) appear, Counsel request that case be sent back to District Judge, Final Status Report to issue. (4:30 P.) (Roland, Lisa) (Entered: 12/10/2004)
12/10/2004	●32	Judge Charles B. Swartwood : FINAL STATUS REPORT as to Alexis Morales, cc/cl. (Roland, Lisa) (Entered: 12/10/2004)
12/10/2004	●	Case as to Alexis Morales no longer referred to Charles B. Swartwood. (Roland, Lisa) (Entered: 12/10/2004)
01/11/2005	●	NOTICE SETTING HEARING re: Motion In case as to Alexis Morales; <u>26</u> First MOTION to Suppress <i>Evidence</i> . Motion Hearing set for Tuesday 1/18/2005 at 2:00PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 01/11/2005)
01/18/2005	●	ElectronicClerk's Notes for proceedings held before Judge F. Dennis Saylor IV:Motion Hearing as to Alexis Morales held on 1/18/2005 re <u>26</u> First MOTION to Suppress <i>Evidence</i> filed by Alexis Morales, Case called, Counsel (Hennessy/Masferrer) and dft appear for motion hearing, Govt. calls P.O. Carmody as first witness, Dft moves for the court to take a view, Motion allowed, Court proceeds to outside of the courthouse to view the truck in question, Court reconvenes in courtroom, Hearing continues with testimony of Mr. Andrews, Motion Hearing Continued to 1/19/2005 11:00AM in Courtroom 2 before Judge F. Dennis Saylor IV. (Court Reporter Kusa-Ryll.) (Castles, Martin) (Entered: 01/20/2005)
01/19/2005	●33	TRANSCRIPT of Detention Hearing Proceedings as to Alexis Morales held on September 7, 2004 before Judge Charles B. Swartwood, III. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter or the Clerk's Office. (Hassett, Kathy) (Entered: 01/19/2005)
01/19/2005	●	ElectronicClerk's Notes for proceedings held before Judge F. Dennis Saylor IV:Motion Hearing as to Alexis Morales held on 1/19/2005 re <u>26</u> First MOTION to Suppress <i>Evidence</i> filed by Alexis Morales: Case called, counsel (Hennessy/Masferrer) and dft appear for further hearing. Testimony of Mr. Andrews continues. Closing arguments by counsel. Further

		supplemental briefs, if necessary, due 1/26/05; reply briefs due 1/31/05. Matter taken under advisement. (Court Reporter Marianne Kusa-Ryll.) (Shattuck, Deborah) (Entered: 01/20/2005)
01/25/2005	●34	TRANSCRIPT of motion to suppress Proceedings as to Alexis Morales held on Tuesday, January 18, 2005 before Judge F. Dennis Saylor, IV. Court Reporter: Marianne Kusa-Ryll. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter or the Clerk's Office. (Jones, Sherry) (Entered: 01/25/2005)
01/25/2005	●35	TRANSCRIPT of Motion to suppress Proceedings as to Alexis Morales held on Wednesday, January 19, 2005 before Judge F. Dennis Saylor, IV. Court Reporter: Marianne Kusa-Ryll. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter or the Clerk's Office. (Jones, Sherry) (Entered: 01/25/2005)
01/26/2005	●36	Supplemental MEMORANDUM in Support by Alexis Morales re <u>26</u> First MOTION to Suppress <i>Evidence</i> (Masferrer, Eduardo) (Entered: 01/26/2005)
01/26/2005	●37	Government's Memorandum following an evidentiary hearing to determine defendant's motion to suppress evidence as to Alexis Morales, c/s. (Hassett, Kathy) (Entered: 01/27/2005)
01/31/2005	●	E-Mail Notice re #37 originally issued on 1/27/05 returned as undeliverable. Name of Addressee: Eduardo Masferrer as to Alexis Morales. Spoke with Attorney Masferrer's paralegal, email has been fixed, the mail delivery return was forwarded to the attorney. (Jones, Sherry) (Entered: 01/31/2005)
01/31/2005	●38	REPLY TO RESPONSE to Motion by Alexis Morales re <u>26</u> First MOTION to Suppress <i>Evidence</i> (Masferrer, Eduardo) (Entered: 01/31/2005)
01/31/2005	●39	REPLY TO RESPONSE to Motion by USA as to Alexis Morales re <u>26</u> First MOTION to Suppress <i>Evidence</i> (Hennessy, David) Additional attachment(s) added on 1/31/2005 (Jones, Sherry). (Entered: 01/31/2005)
02/10/2005	●40	Judge F. Dennis Saylor IV: Electronic ORDER entered. ORDER ON EXCLUDABLE DELAY as to Alexis Morales

		Time excluded from 11/23/04 until 1/18/05. (Castles, Martin) (Entered: 02/10/2005)
02/22/2005	41	Judge F. Dennis Saylor IV: Electronic MEMORANDUM AND ORDER entered denying <u>26</u> Motion to Suppress as to Alexis Morales (1). (Castles, Martin) (Entered: 02/22/2005)
02/22/2005		Set Hearings as to Alexis Morales: Status Conference set for Wednesday 3/2/2005 3:30PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 02/22/2005)
02/24/2005		E-Mail Notice re order on motion to supress originally issued on 2/22/05 returned as undeliverable. Name of Addressee: David Hennessy as to Alexis Morales. Resent the notice to AUSA Hennessy. (Jones, Sherry) (Entered: 02/24/2005)
03/02/2005		Reset Hearings as to Alexis Morales: Status Conference reset for 3/8/2005 3:30PM in Courtroom 2 before Judge F. Dennis Saylor IV. Atty. Masferrer's firm called Clerk this date and moved for continuance. Court grants motion to continue status conference. (Castles, Martin) (Entered: 03/02/2005)
03/02/2005	42	Judge F. Dennis Saylor IV: Electronic ORDER entered. ORDER ON EXCLUDABLE DELAY as to Alexis Morales Time excluded from 1/19/05 until 2/18/05. (Castles, Martin) (Entered: 03/02/2005)
03/02/2005	43	Judge F. Dennis Saylor IV: Electronic ORDER entered. ORDER ON EXCLUDABLE DELAY as to Alexis Morales Time excluded from 3/2/05 until 3/8/05. (Castles, Martin) (Entered: 03/02/2005)
03/07/2005		Reset Hearings as to Alexis Morales: Status Conference reset for 3/14/2005 3:00PM in Courtroom 2 before Judge F. Dennis Saylor IV. Dft's counsel requested continuance by phone, request granted. Dft to file motion to continue and to exclude time. (Castles, Martin) (Entered: 03/07/2005)
03/08/2005	44	MOTION to Continue as to Alexis Morales. (Masferrer, Eduardo) Additional attachment(s) added on 3/9/2005 (Jones, Sherry). (Entered: 03/08/2005)
03/09/2005		Reset Hearings as to Alexis Morales: Status Conference reset for 3/14/2005 2:00PM in Courtroom 2 before Judge F. Dennis Saylor IV. Time of conference has been changed, date has not changed. (Castles, Martin) (Entered: 03/09/2005)








03/10/2005	●	Judge F. Dennis Saylor IV: Electronic ORDER entered granting <u>44</u> Motion to Continue as to Alexis Morales (1). (Castles, Martin) (Entered: 03/10/2005)
03/16/2005	●	Reset Hearings as to Alexis Morales: Status Conference reset for Friday 3/18/2005 at 12:00PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 03/16/2005)
03/18/2005	● <u>45</u>	MOTION for Leave to Supplement record on Motion to Suppress as to Alexis Morales. (Hassett, Kathy) (Entered: 03/18/2005)
03/18/2005	● <u>46</u>	AFFIDAVIT of Eduardo Masferrer by Alexis Morales <u>45</u> MOTION for Leave to File filed by Alexis Morales, (Hassett, Kathy) (Entered: 03/18/2005)
03/18/2005	●	Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor IV: Status Conference as to Alexis Morales held on 3/18/2005, Case called, Counsel (Hennessy/Masferrer) appear for status conference, Govt is ready for trial, Dft files motion to reopen suppression motion, govt to respond by 4/1/05, Court sets trial date: Jury Trial set for 6/6/2005 09:00 AM in Courtroom 2 before Judge F. Dennis Saylor IV. Proposed voir dire questions, Proposed jury instructions, Proposed verdict form, witness lists, Exhibit lists, In limine motions and trial briefs all due by 5/31/05, Oppositions to in limine motions due 6/2/05, parties proposed opening remakes to jury due by 5/31/05, Court excludes all time between 3/8/05 and trial date of 6/6/05 without objection of counsel, Time excluded under the speedy trial act in the interest of justice, Final Pretrial Conference set for 6/3/2005 11:00 AM in Courtroom 2 before Judge F. Dennis Saylor IV. (Court Reporter Kusa-Ryll.) (Castles, Martin) (Entered: 03/18/2005)
03/18/2005	● <u>47</u>	Judge F. Dennis Saylor IV: Electronic ORDER entered. ORDER ON EXCLUDABLE DELAY as to Alexis Morales Time excluded from 3/8/05 until 3/18/05. (Castles, Martin) (Entered: 03/18/2005)
03/18/2005	● <u>48</u>	Judge F. Dennis Saylor IV: Electronic ORDER entered. ORDER ON EXCLUDABLE DELAY as to Alexis Morales Time excluded from 3/18/05 until 6/6/05. (Castles, Martin) (Entered: 03/18/2005)
03/24/2005	● <u>49</u>	RESPONSE to Motion by USA as to Alexis Morales re <u>45</u> MOTION for Leave to File <i>response to Post Hearing Motion</i>



		(Hennessy, David) Additional attachment(s) added on 4/4/2005 (Jones, Sherry). (Entered: 03/24/2005)
04/15/2005	<u>50</u>	Judge F. Dennis Saylor IV: Electronic MEMORANDUM AND ORDER entered denying <u>45</u> Motion for Leave to File as to Alexis Morales (1). (Castles, Martin) (Entered: 04/15/2005)
05/31/2005	<u>51</u>	MOTION in Limine as to Alexis Morales by USA, c/s. (Jones, Sherry) (Entered: 05/31/2005)
05/31/2005	<u>52</u>	Proposed Voir Dire by USA as to Alexis Morales, c/s. (Jones, Sherry) (Entered: 05/31/2005)
05/31/2005	<u>53</u>	Proposed Voir Dire by Alexis Morales (Masferrer, Eduardo) Modified on 6/1/2005 (Jones, Sherry). Duplicate filing, document not signed. (Entered: 05/31/2005)
05/31/2005	<u>54</u>	WITNESS LIST by USA as to Alexis Morales, c/s. (Jones, Sherry) (Entered: 05/31/2005)
05/31/2005	<u>55</u>	EXHIBIT LIST by USA as to Alexis Morales, c/s. (Jones, Sherry) (Entered: 05/31/2005)
05/31/2005	<u>56</u>	Government's Proposed Preliminary Jury Instructions as to Alexis Morales, c/s. (Jones, Sherry) (Entered: 05/31/2005)
05/31/2005	<u>57</u>	Government's Proposed Jury Instructions as to Alexis Morales, c/s. (Jones, Sherry) (Entered: 05/31/2005)
05/31/2005	<u>58</u>	PROPOSED Verdict Form submitted to the Court by USA as to Alexis Morales. (Jones, Sherry) (Entered: 05/31/2005)
05/31/2005	<u>59</u>	Proposed Jury Instructions by Alexis Morales (Masferrer, Eduardo) Modified on 6/1/2005 (Jones, Sherry). duplicate filing, document not signed. (Entered: 05/31/2005)
05/31/2005	<u>60</u>	First MOTION in Limine as to Alexis Morales. (Masferrer, Eduardo) (Entered: 05/31/2005)
05/31/2005	<u>61</u>	Proposed Voir Dire by Alexis Morales (Masferrer, Eduardo) (Entered: 05/31/2005)
05/31/2005	<u>62</u>	Proposed Jury Instructions by Alexis Morales (Masferrer, Eduardo) Modified on 6/1/2005 (Jones, Sherry). duplicate filing, document not signed. (Entered: 05/31/2005)
05/31/2005	<u>63</u>	EXHIBIT/WITNESS LIST by Alexis Morales (Masferrer, Eduardo) (Entered: 05/31/2005)

05/31/2005	64	EXHIBIT/WITNESS LIST by Alexis Morales (Masferrer, Eduardo) (Entered: 05/31/2005)
05/31/2005	65	TRIAL BRIEF by Alexis Morales (Masferrer, Eduardo) (Entered: 05/31/2005)
06/01/2005		Notice of correction to docket made by Court staff. Correction: document #'s 53, voir dire, 59 jury instructions, 62 jury instructions duplicate filing by counsel as to Alexis Morales. (Jones, Sherry) (Entered: 06/01/2005)
06/02/2005	66	RESPONSE to Motion by USA as to Alexis Morales re 60 First MOTION in Limine, c/s. (Jones, Sherry) (Entered: 06/02/2005)
06/02/2005	67	RESPONSE to Motion by Alexis Morales re 51 MOTION in Limine (Masferrer, Eduardo) (Entered: 06/02/2005)
06/03/2005	68	WITNESS LIST by USA as to Alexis Morales, c/s. (Jones, Sherry) (Entered: 06/03/2005)
06/03/2005		Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor IV:Pretrial Conference as to Alexis Morales held on 6/3/2005, Case called, Counsel appear for final pre-trial conference, (Trial set for 6/6/05) Court and counsel discuss trial matters, Possible Jury view and in limine motions, Court hears arguments of counsel, Court takes motions under advisement, (Court Reporter Kusa-Ryll.) (Castles, Martin) (Entered: 06/03/2005)
06/03/2005	69	Discovery Letter as to Alexis Morales. (Jones, Sherry) (Entered: 06/03/2005)
06/03/2005	70	Writ of Habeas Corpus ad Testificandum Issued as to Raul Aponte for 6/6/05 in case as to Alexis Morales. (Jones, Sherry) (Entered: 06/03/2005)
06/06/2005	71	Objection to admission of writing as to Alexis Morales, c/s. (Jones, Sherry) (Entered: 06/06/2005)
06/06/2005		Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor IV:Jury Selection held on 6/6/2005, Jury Trial held on 6/6/2005, Voir Dire begun on 6/6/2005 Alexis Morales (1) on Count 1, Voir Dire held on 6/6/2005, Case called, Counsel and dft appear for jury trial day 1, Court holds jury selection, Court empanels 14 jurors for trial, Jurors excused for the day, Court holds hearing outside of jury re: trial matters,

		Jury Trial continued to 6/7/2005 at 9:00AM in Courtroom 2 before Judge F. Dennis Saylor IV. (Court Reporter Kusa-Ryll.) (Castles, Martin) (Entered: 06/06/2005)
06/07/2005	●72	Letter (non-motion) regarding section 3500 material as to Alexis Morales (Hassett, Kathy) (Entered: 06/07/2005)
06/07/2005	●73	RESPONSE to Motion by USA as to Alexis Morales re 60 First MOTION in Limine, c/s. (Hassett, Kathy) (Entered: 06/07/2005)
06/07/2005	●	Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor IV:Jury Trial as to Alexis Morales held on 6/7/2005, Case called, Counsel and dft appear for jury trial day 2, Govt and dft give opening statements, Govt's case in chief commences with testimony of James Carmody, Jury Trial continued to 6/8/2005 at 9:00AM in Courtroom 2 before Judge F. Dennis Saylor IV. (Court Reporter Kusa-Ryll.) (Castles, Martin) (Entered: 06/07/2005)
06/08/2005	●74	MOTION to Strike surplusage and for alternative relief as to Alexis Moralesby USA, c/s. (Jones, Sherry) (Entered: 06/08/2005)
06/08/2005	●75	MOTION for Judgment of Acquittal as to Alexis Morales, c/s. (Jones, Sherry) (Entered: 06/08/2005)
06/08/2005	●	Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor IV:Jury Trial as to Alexis Morales held on 6/8/2005, Case called, Counsel and dft appear for jury trial day 3, Court holds conference outside of hearing of jury re: view, Jury called and govt's case continues with testimony, Court and jury take view of Mountaineer, Govt rests, Dft's case commences with testimony of Darrin Andrews, Dft rests, Govt's rebuttal case, Govt rests, Jury excused for the day, Court holds charge conference with counsel, Jury Trial continued to 6/9/2005 at 9:00AM in Courtroom 2 before Judge F. Dennis Saylor IV. (Court Reporter Kusa-Ryll.) (Castles, Martin) (Entered: 06/08/2005)
06/08/2005	●76	TRANSCRIPT of Day 2 Proceedings as to Alexis Morales, held on Tuesday, June 7, 2005 before Judge F. Dennis Saylor, IV. Court Reporter: Marianne Kusa-Ryll. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter or the Clerk's Office. (Hassett, Kathy) (Entered: 06/08/2005)

06/09/2005	●	Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor IV: Jury Trial as to Alexis Morales held on 6/9/2005, Case called, Counsel and dft appear for jury trial day 4, Court holds hearing with counsel outside hearing of jury re: jury instructions, Closing arguments of Govt. held, Closing arguments of dft held, Govt. rebuttal held, Court charges jury, Jury deliberations commence, Court answers several jury questions on the record, Jury excused for the day at 5:00PM, Jury Trial continued to 6/10/2005 at 9:00AM before Judge F. Dennis Saylor IV. (Court Reporter K. Borreson.) (Castles, Martin) (Entered: 06/09/2005)
06/10/2005	●77	MOTION for Reconsideration as to Alexis Morales by USA, c/s. (Hassett, Kathy) (Entered: 06/10/2005)
06/10/2005	●	Electronic Clerk's Notes for proceedings held before Judge F. Dennis Saylor IV: Change of Plea Hearing as to Alexis Morales held on 6/10/2005, Jury Trial as to Alexis Morales held on 6/10/2005, Plea entered by Alexis Morales (1) Guilty Count 1. Case called, Counsel and dft appear for jury trial day 5, Jury deliberations continue, Jury informs court they have reached an impass, Court instructs jury to continue to deliberate, Govt. and dft inform court they have reached an agreement to plead guilty, Dft changes plea of not-guilty and enters a plea of guilty to count one, Dft remanded to the custody of the U.S. Marshal, Procedural orders re: sentencing to issue, Jury is discharged with the thanks of the court. Sentencing set for 9/7/2005 at 11:00AM in Courtroom 2 before Judge F. Dennis Saylor IV. (Court Reporter K. Borreson.) (Castles, Martin) (Entered: 06/10/2005)
06/10/2005	●	Terminate hearings as to Alexis Morales: (Castles, Martin) (Entered: 06/10/2005)
06/10/2005	●78	Jury Impaneled as to Alexis Morales (Hassett, Kathy) (Entered: 06/13/2005)
06/10/2005	●79	EXHIBIT LIST. (Hassett, Kathy) Additional attachment(s) added on 6/14/2005 (Hassett, Kathy). (Entered: 06/13/2005)
06/14/2005	●	Motions terminated as to Alexis Morales: 77 MOTION for Reconsideration filed by USA,, 74 MOTION to Strike filed by USA,, 75 MOTION for Acquittal filed by Alexis Morales,, 51 MOTION in Limine filed by USA,, 60 First MOTION in Limine filed by Alexis Morales,, Dft pleaded guilty on

		6/10/05. (Castles, Martin) (Entered: 06/14/2005)
06/15/2005		Judge F. Dennis Saylor IV: Electronic ORDER entered. PROCEDURAL ORDER re sentencing hearing as to Alexis Morales Sentencing set for 9/7/2005 11:00AM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 06/15/2005)
06/15/2005		Judge F. Dennis Saylor IV: Electronic ORDER entered as to Alexis Morales, Re: sentencing hearing. (Castles, Martin) (Entered: 06/15/2005)
08/02/2005		NOTICE OF RESCHEDULING: Reset Hearing as to Alexis Morales: Sentencing reset for Tuesday 9/27/2005 at 3:00PM in Courtroom 2 before Judge F. Dennis Saylor IV. (Castles, Martin) (Entered: 08/02/2005)
09/27/2005		ElectronicClerk's Notes for proceedings held before Judge F. Dennis Saylor IV: Sentencing held on 9/27/2005 for Alexis Morales (1), Count(s) 1, Case called, Counsel and defendant appear for sentencing, Court sentences the defendant as follows: The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of 60 months. Upon release from imprisonment, the defendant shall be placed on supervised release for a term of 4 years. It is further ordered that the defendant shall pay to the United States a special assessment of \$100.00, which shall be due immediately. The defendant is remanded to the custody of the U.S. Marshal. (Court Reporter M. Kusa-Ryll.) (Castles, Martin) (Entered: 09/27/2005)
10/04/2005		NOTICE OF APPEAL by Alexis Morales NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 10/24/2005. (Masferrer, Eduardo) (Entered: 10/04/2005)
10/04/2005		MOTION to Withdraw as Attorney <i>for Appeal</i> by Eduardo Masferrer. as to Alexis Morales. (Masferrer, Eduardo) (Entered: 10/04/2005)
10/04/2005		Judge F. Dennis Saylor IV: ORDER entered. JUDGMENT as to Alexis Morales (1), Count(s) 1, The defendant is hereby committed to the custody of the U.S. Bureau of Prisons to be

		imprisoned for a term of 60 months. Upon release from imprisonment, the defendant shall be placed on supervised release for a term of 4 years. It is further ordered that the defendant shall pay to the United States a special assessment of \$100.00, which shall be due immediately. The defendant is remanded to the custody of the U.S. Marshal. (Castles, Martin) (Entered: 10/04/2005)
10/04/2005		Judge F. Dennis Saylor IV: ORDER entered. STATEMENT OF REASONS as to Alexis Morales. (Castles, Martin) (Entered: 10/04/2005)
10/04/2005		Case Terminated as to Alexis Morales (Castles, Martin) (Entered: 10/04/2005)